

**COHEN, WEISS AND SIMON LLP**

**SAMUEL J. COHEN (1908-1991)**  
**HENRY WEISS (1910-2004)**

**COUNSELLORS AT LAW**

**330 WEST 42<sup>ND</sup> STREET**

**NEW YORK, N.Y. 10036-6976**

**(212) 563-4100**

**WRITER'S DIRECT INFORMATION:**

**PHONE: (212) 356-0235**

**FAX: (646) 473-8235**

**E-MAIL: LGOMEZ@CWSNY.COM**

**May 22, 2008**

**COUNSEL**

**STANLEY M. BERMAN**

**EYAD ASAD**

**ROBIN H. GISE**

**ORIANA VIGLIOTTI**

**DAVID R. HOCK\***

**CLAIRE TUCK\***

**BRADLEY J. SOLLARS**

**RICHARD C. HARMON**

**MARCELLE J. HENRY**

**NEW JERSEY OFFICE**

**206 CLAREMONT AVENUE**

**MONTCLAIR, N.J. 07042**

**(973) 509-0011**

**\* ALSO ADMITTED IN NJ**

**BRUCE H. SIMON**  
**ROBERT S. SAVELSON**  
**STEPHEN B. MOLDOF**  
**MICHAEL E. ABRAM**  
**KEITH E. SECULAR**  
**PETER HERMAN**  
**RICHARD M. SELTZER**  
**JAMES L. LINSEY\***  
**JANI K. RACHELSON**  
**BABETTE CECCOTTI\***  
**SUSAN DAVIS\***  
**MICHAEL L. WINSTON**  
**THOMAS N. CIANTRA**  
**JOSEPH J. VITALE\***  
**PETER D. DECHIARA**  
**LISA M. GOMEZ\***  
**BRUCE S. LEVINE**  
**JAMES R. GRISI\***  
**ELIZABETH O'LEARY**  
**TRAVIS M. MASTRODDI**  
**MANLIO DIPRETA**

Via Facsimile and Regular Mail

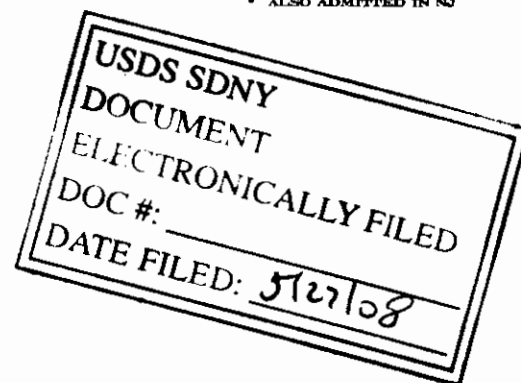
Hon. Richard J. Sullivan  
United States District Judge  
United States District Court for the Southern District of New York  
500 Pearl Street, Room 615  
New York, NY 10007-1312

Re: McNabb v. AFTRA Health Fund  
Civil No. 1:07-10974 (RJS)

Dear Judge Sullivan:

This firm is counsel to the AFTRA Health Fund (the "Fund"), defendant in the above-referenced action. We write to respectfully request a short adjournment of the conference in this matter currently scheduled for next Thursday, May 29, 2008 at 10:00 a.m. I am principal counsel for defendant in this action. I will be out of town on vacation the week of May 26-30, 2008 and therefore cannot attend the conference. There have been no prior requests for adjournment or extension in this matter by either party. I conferred with the plaintiff, Mr. McNabb, concerning this request and he had no objections. There are no other scheduled dates in this matter that would be affected by the requested adjournment.

I am currently available for a conference with Your Honor and plaintiff on June 4 or 5, as well as June 9, 11 and 13 and other dates later in the month. I have not yet inquired of Mr. McNabb as to his availability.



**COHEN, WEISS AND SIMON LLP**

Hon. Richard J. Sullivan, U.S.D.J.  
May 22, 2008  
Page 2

Thank you for Your Honor's consideration of this request.

Respectfully submitted,




Lisa M. Gomez

LMG:

cc: Mr. B. McNabb (via e-mail and regular mail)

*Reset to June 4, 2008 @ 9<sup>30</sup> AM.*

SO ORDERED  
Date:

  
5/22/08  
RICHARD J. SULLIVAN  
U.S.D.J.